

PCT

ATTORNEY DOCKET NO. 066079-5104



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)

Inventors: David Phillip DEVONALD)

Application No.: 10/534,440)

Group Art Unit: 1755

Filed: May 10, 2005)

Examiner: Klemanski, H.G.

For: INKS FOR INK JET PRINTING)
COMPRISING A TRIS-AZO DYE)

Commissioner of Patents and Trademarks
 U.S. Patent and Trademark Office
 Customer Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is a Response to the Office Action dated June 9, 2006 in the above-referenced application.
2. Additional Documents
- Terminal Disclaimer
3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$_____.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus	20		x \$50 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))		minus	3	0	x \$200 each=	+ \$0
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0
SUB-TOTAL =						\$0
Reduction by 2 for filing by a small entity						- \$0
TOTAL FEE =						\$0

5. Fee Payment


[X] The Commissioner is hereby authorized to charge **\$130.00** to Deposit Account 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 20, 2006

By: 
 Paul N. Kokulis
 Reg. No. 16,773

CUSTOMER NO. **09629**
 MORGAN, LEWIS & BOCKIUS LLP
 1111 Pennsylvania Avenue, NW
 Washington, D.C. 20004
 202-739-3000



Attorney Docket No. 066079-5104-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Inventor(s): David Phillip DEVONALD)	
)	
Appln. No. 10/534,440)	Group Art Unit: 1755
)	
Filed: May 10, 2005)	Examiner: Klemanski, H.G.
)	
Title: INKS FOR INK JET PRINTING)	
COMPRISING A TRIS-AZO DYE)	

RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314


Sir:

In response to the Office Action of June 9, 2006, reconsideration of this application is requested.

The Examiner has provisionally rejected claims 1-13 for double-patenting based on claims of copending application No. 10/534,339. Attached is a Terminal Disclaimer which should obviate the basis for the Examiner's rejection.

Allowance is requested.

Respectfully submitted,
MORGAN LEWIS & BOCKIUS LLP

By 
Paul N. Kokulis
Reg. No. 16,773

Date: July 20, 2006

Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 739-3000
Facsimile: (202) 739-3001
Direct: (202) 739-5455